

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed November 12, 2004. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 101

Claim 14 has been rejected under 35 U.S.C. § 101 as claiming non-statutory subject matter.

In response to the rejection, Applicant has amended claim 14 to recite “A system stored on a computer-readable medium”. Applicant respectfully asserts that such a system comprises statutory subject matter as per 35 U.S.C. § 101, and respectfully requests that the rejection be withdrawn.

II. Claim Rejections - 35 U.S.C. § 112, First Paragraph

Claim 18 has been rejected under 35 U.S.C. § 112, first paragraph. Given that claim 18 has been canceled through this Response, Applicant respectfully requests that the rejection be withdrawn.

III. Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-18 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Schamberger, et al. (“Schamberger,” U.S. Pub. No. 2001/0017806). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir.

1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the Schamberger reference. Applicant discusses Applicant's claims and the Schamberger reference in the following. As is indicated above, claims 1-10 and 17-18 have been canceled through this Response. Accordingly, Applicant only discusses the original claims that remain in the case in the following.

Applicant's claim 11 provides as follows (emphasis added):

11. A system for verifying data in a data storage device, the data storage device storing data in a number of accessible address locations, said system comprising:

means for designating a range of addresses from said number of accessible address locations as addresses to be verified;

means for verifying whether or not data stored in a starting address of said addresses to be verified contains an error;

means for incrementing the verified address;

means for determining whether or not the incremented address is at the end of the range of addresses to be verified;

means for changing the address to the next address when said means for determining has determined that the incremented address is not at the end of the range of addresses to be verified; and

means for resetting the address to an address at the start of the range of addresses to be verified when said means for determining has determined that the address is at the end of the range of addresses to be verified such that all addresses within the range can be re-verified in a continuous loop.

As a first matter, Applicant notes that Schamberger does not teach or suggest “means for designating a range of addresses from said number of accessible address locations as addresses to be verified”. Although the Office Action cites paragraphs 0008 and 0009 for support for the argument that Schamberger does teach such means, a casual review of paragraphs 0008 and 0009 reveals that these paragraphs contain no such teaching.

Furthermore, Schamberger does not teach or suggest “means for resetting the address to an address at the start of the range of addresses to be verified when said means for determining has determined that the address is at the end of the range of addresses to be verified such that all addresses within the range can be re-verified in a continuous loop”. In particular, Schamberger does not teach means for resetting an address at the start of a range “such that all addresses within the range can be re-verified in a continuous loop”.

Due at least to the shortcomings discussed above, Schamberger does not anticipate Applicant’s claims 11-13. Applicant respectfully requests that the rejection of those claims be withdrawn.

Regarding independent claim 14, Applicant recites (emphasis added):

14. A system stored on a computer-readable medium, the system comprising:

logic configured to input a starting address and an ending address so as to define a range of addresses to be verified;

logic configured to verify whether or not data stored at an address in the range contains an error;

logic configured to determine whether or not the verified address is the ending address;

logic configured to initiate verification of the first address if the verified address is the ending address such that all addresses within the range can be re-verified in a continuous loop.

Schamberger does not teach or suggest “logic configured to input a starting address and an ending address so as to define a range of addresses to be verified” or “logic configured to initiate verification of the first address if the verified address is the ending address such that all addresses within the range can be re-verified in a continuous loop” at least for reasons described above in relation to claim 11.

Due at least to the above-noted shortcomings, Chamberger does not anticipate Applicant’s claims 14-17. Applicant respectfully requests that the rejection of those claims be withdrawn.

IV. Canceled Claims

As identified above, claims 1-10 and 17-18 have been canceled from the application through this Response without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

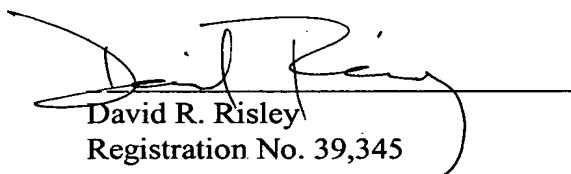
V. New Claims

As identified above, claims 19-43 have been added into the application through this Response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

CONCLUSION

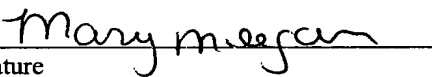
Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

2-2-05


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